HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2279 OF 2005.

Smt.Rukmini Kalyansingh Rajpurohit. ...Applicant

V/s.

The State of Maharashtra. ...Respondent

Shri K.S.Patil, for applicant.

Shri K.V.Saste, APP for respondent.

CORAM: A.M.KHANWILKAR,J
DATE : APRIL 12, 2005

P.C. :-

1. Heard the counsel for the parties.

2. Even going by the prosecution case as it is, it is seen that the incident in question took place on the spur of moment. It is seen that Gangasingh alongwith Mrs.Golabmbe visited the house of Kalyansingh at an odd hours in the morning by 5.30 a.m. Some altercation took place between Kalyansingh and said Gangasingh. F.I.R. mentions that Gangasingh was seen holding knife and threatening to assault Kalyansingh and at that moment, the applicant being wife of Kalyansingh reacted by picking up cricket bat lying beside her and assaulted Gangasingh on his head. Indeed, thereafter, Kalyansingh over-reacted to the situation by snatching

knife from the hands of Gangasingh. However, in so far as the applicant is concerned, she assaulted Gangasingh for the first place obviously, to rescue her husband Kalyansingh.

3. Viewed in this perspective,as the investigation is completed, the learned APP states that chargesheet will be filed in about two days' time from today and as there are no antecedents against the applicant and applicant being female, deserves to be enlarged on bail on the following conditions.

(i) The applicant is directed to be released on bail in connection with C.R.No.48 of 2005 registered with Dindoshi Police Station on executing personal bond in the sum of Rs.10,000/- (Rs.ten thousand only) with two local sureties in like amount.

(ii) The applicant shall not influence prosecution witness nor tamper any prosecution evidence.

(iii) The applicant shall co-operate for early disposal of the trial, as condition for bail. In the event, the trial court is of the opinion that

the applicant is responsible for delay in trial, that will be recorded in roznama and that can be the basis for cancellation of bail.

4. Application disposed of accordingly.